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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,752	03/15/2001	Scott M. Zimmerman	OM-1670	4335

7590 01/29/2004

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EXAMINER

ALANKO, ANITA KAREN

ART UNIT	PAPER NUMBER
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1765

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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Alanko

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on December 1, 2003 is not fully responsive to the prior Office action because it does not address the 112, second paragraph rejection of claim 44. Also, three claims have been numbered as claim 46 (it appears they should be numbered claims 46-48). Claims 46 and 48 should have the identifier "New and Withdrawn" since they are directed to the non-elected invention.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Anita K. Alanko
Anita K Alanko
Primary Examiner
Art Unit: 1765